IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6111 OF 2007

Babulal Dagu Surse ...Petitioner
V/s.
Chief Executive Officer & Anr. ...Respondents

Mr.Prasad S. Dani for the Petitioner.
Ms.S.S. Bhende, AGP for Respondent Nos.2 and 3.

CORAM : D.K. DESHMUKH &
V.M. KANADE, JJ.

DATED : DECEMBER 5, 2007

P.C. :-

. The misconduct alleged against the petitioner is that he got a date of birth recorded in the service book. Even according to the petitioner, the correct date of birth of the petitioner is of 1949. In the service book, the date of birth of the petitioner is mentioned of the year 1951. According to the petitioner, he did not do it and it was done by some employee in the office of the Zilla Parishad. The petitioner was the only one who could have benefited because of mention of date of birth of 1951. Even assuming that by mistake, some employee of the Zilla Parishad mentioned the date of birth as 1951 but on getting a duplicate copy of the service book, if the

date of birth was wrong, it was for the petitioner to point out the mistake. Admittedly, the petitioner did not do it. This suggests that the petitioner might have been instrumental in mentioning the wrong date of birth in the service book. In our opinion, considering these facts and the nature of punishment imposed i.e. reduction of the petitioner to lowest grade in the pay scale, interference at the hands of this court in exercise of its extraordinary jurisdiction is not called for.

. Writ Petition is rejected.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)